

**DEFENSE**

**Status of Forces**

**Agreement Between the  
UNITED STATES OF AMERICA  
and the PHILIPPINES**

Signed at Manila February 10, 1998

and

**Agreement Between the  
UNITED STATES OF AMERICA  
and the PHILIPPINES**

Signed at Manila October 9, 1998



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966  
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

## **PHILIPPINES**

### **Defense: Status of Forces**

*Agreement signed at Manila February 10, 1998;  
Entered into force June 1, 1999.*

*And*

*Agreement signed at Manila October 9, 1998;  
Entered into force June 1, 1999.*

Agreement Between the Government of the United States of America,  
and the Government of the Republic of the Philippines  
Regarding the Treatment of United States Armed Forces  
Visiting the Philippines

Preamble

The Government of the United States of America and the Government  
of the Republic of the Philippines,

Reaffirming their faith in the purposes and principles of the  
Charter of the United Nations and their desire to strengthen  
international and regional security in the Pacific area;

Reaffirming their obligations under the Mutual Defense Treaty of  
August 30, 1951;

Noting that from time to time elements of the United States armed  
forces may visit the Republic of the Philippines;

Considering that cooperation between the United States and the  
Republic of the Philippines promotes their common security interests;

Recognizing the desirability of defining the treatment of United States  
personnel visiting the Republic of the Philippines;

Have agreed as follows:

Article I

Definitions

As used in this Agreement, "United States personnel" means United  
States military and civilian personnel temporarily in the Philippines in  
connection with activities approved by the Philippine Government.

Within this definition:

1. The term "military personnel" refers to military members of the  
United States Army, Navy, Marine Corps, Air Force, and Coast Guard.

2. The term "civilian personnel" refers to individuals who are neither nationals of nor ordinarily resident in the Philippines and who are employed by the United States armed forces or who are accompanying the United States armed forces, such as employees of the American Red Cross and the United Services Organization.

Article II

Respect for Law

It is the duty of United States personnel to respect the laws of the Republic of the Philippines and to abstain from any activity inconsistent with the spirit of this agreement, and, in particular, from any political activity in the Philippines. The Government of the United States shall take all measures within its authority to ensure that this is done.

Article III

Entry and Departure

1. The Government of the Philippines shall facilitate the admission of United States personnel and their departure from the Philippines in connection with activities covered by this agreement.
2. United States military personnel shall be exempt from passport and visa regulations upon entering and departing the Philippines.
3. The following documents only, which shall be presented on demand, shall be required in respect of United States military personnel who enter the Philippines:
  - (a) personal identity card issued by the appropriate United States authority showing full name, date of birth, rank or grade and service number (if any), branch of service and photograph, and;
  - (b) individual or collective document issued by the appropriate United States authority, authorizing the travel or visit and identifying the individual or group as United States military personnel.

(c) the commanding officer of a military aircraft or vessel shall present a declaration of health, and when required by the cognizant representative of the Government of the Philippines, shall conduct a quarantine inspection and will certify that the aircraft or vessel is free from quarantinable diseases. Any quarantine inspection of United States aircraft, or vessels, or cargoes thereon, shall be conducted by the United States commanding officer in accordance with the international health regulations as promulgated by the World Health Organization, and mutually agreed procedures.

4. United States civilian personnel shall be exempt from visa requirements but shall present, upon demand, valid passports upon entry and departure of the Philippines.

5. If the Government of the Philippines has requested the removal of any United States personnel from its territory, the United States authorities shall be responsible for receiving the person concerned within its own territory or otherwise disposing of said person outside of the Philippines.

#### Article IV

##### Driving and Vehicle Registration

1. Philippine authorities shall accept as valid, without test or fee, a driving permit or license issued by the appropriate United States authority to United States personnel for the operation of military or official vehicles.

2. Vehicles owned by the Government of the United States need not be registered, but shall have appropriate markings.

#### Article V

##### Criminal Jurisdiction

1. Subject to the provisions of this article:

(a) Philippine authorities shall have jurisdiction over United States personnel with respect to offenses committed within the Philippines and punishable under the law of the Philippines.

(b) United States military authorities shall have the right to exercise within the Philippines all criminal and disciplinary jurisdiction

conferred on them by the military law of the United States over United States personnel in the Philippines.

2. (a) Philippine authorities exercise exclusive jurisdiction over United States personnel with respect to offenses, including offenses relating to the security of the Philippines, punishable under the laws of the Philippines, but not under the laws of the United States.

(b) United States authorities exercise exclusive jurisdiction over United States personnel with respect to offenses, including offenses relating to the security of the United States, punishable under the laws of the United States, but not under the laws of the Philippines.

(c) For the purposes of this paragraph and paragraph 3 of this article, an offense relating to security means:

(1) treason;

(2) sabotage, espionage or violation of any law relating to national defense.

3. In cases where the right to exercise jurisdiction is concurrent, the following rules shall apply:

(a) Philippine authorities shall have the primary right to exercise jurisdiction over all offenses committed by United States personnel, except in cases provided for in paragraphs 1 (b), 2 (b), and 3 (b) of this Article.

(b) United States military authorities shall have the primary right to exercise jurisdiction over United States personnel subject to the military law of the United States in relation to:

(1) offenses solely against the property or security of the United States or offenses solely against the property or person of United States personnel; and

(2) offenses arising out of any act or omission done in performance of official duty.

(c) The authorities of either government may request the authorities of the other government to waive their primary right to exercise jurisdiction in a particular case.

(d) Recognizing the responsibility of the United States military authorities to maintain good order and discipline among their forces, Philippine authorities will, upon request by the United States, waive their primary right to exercise jurisdiction except in cases of particular importance to the Philippines. If the Government of the Philippines determines that the case is of particular importance, it shall communicate such determination to the United States authorities within twenty (20) days after the Philippine authorities receive the United States request.

(e) When the United States military commander determines that an offense charged by authorities of the Philippines against United States personnel arises out of an act or omission done in the performance of official duty, the commander will issue a certificate setting forth such determination. This certificate will be transmitted to the appropriate authorities of the Philippines and will constitute sufficient proof of performance of official duty for the purposes of paragraph 3(b)(2) of this article. In those cases where the Government of the Philippines believes the circumstances of the case require a review of the duty certificate, United States military authorities and Philippine authorities shall consult immediately. Philippine authorities at the highest levels may also present any information bearing on its validity. United States military authorities shall take full account of the Philippine position. Where appropriate, United States military authorities will take disciplinary or other action against offenders in official duty cases, and notify the Government of the Philippines of the actions taken.

(f) If the government having the primary right does not exercise jurisdiction, it shall notify the authorities of the other government as soon as possible.

(g) The authorities of the Philippines and the United States shall notify each other of the disposition of all cases in which both the authorities of the Philippines and the United States have the right to exercise jurisdiction.

4. Within the scope of their legal competence, the authorities of the Philippines and the United States shall assist each other in the arrest of United States personnel in the Philippines and in handing them over to authorities who are to exercise jurisdiction in accordance with the provisions of this article.

5. United States military authorities shall promptly notify Philippine authorities of the arrest or detention of United States personnel who are subject to Philippine primary or exclusive jurisdiction. Philippine

authorities shall promptly notify United States military authorities of the arrest or detention of any United States personnel.

6. The custody of any United States personnel over whom the Philippines is to exercise jurisdiction shall immediately reside with United States military authorities, if they so request, from the commission of the offense until completion of all judicial proceedings. United States military authorities shall, upon formal notification by the Philippine authorities and without delay, make such personnel available to those authorities in time for any investigative or judicial proceedings relating to the offense with which the person has been charged. In extraordinary cases, the Philippine Government shall present its position to the United States Government regarding custody, which the United States Government shall take into full account. In the event Philippine judicial proceedings are not completed within one year, the United States shall be relieved of any obligations under this paragraph. The one year period will not include the time necessary to appeal. Also, the one year period will not include any time during which scheduled trial procedures are delayed because United States authorities, after timely notification by Philippine authorities to arrange for the presence of the accused, fail to do so.

7. Within the scope of their legal authority, United States and Philippine authorities shall assist each other in the carrying out of all necessary investigations into offenses and shall cooperate in providing for the attendance of witnesses and in the collection and production of evidence, including seizure and, in proper cases, the delivery of objects connected with an offense.

8. When United States personnel have been tried in accordance with the provisions of this article and have been acquitted or have been convicted and are serving, or have served their sentence, or have had their sentence remitted or suspended, or have been pardoned, they may not be tried again for the same offense in the Philippines. Nothing in this paragraph, however, shall prevent United States military authorities from trying United States personnel for any violation of rules of discipline arising from the act or omission which constituted an offense for which they were tried by Philippine authorities.

9. When United States personnel are detained, taken into custody, or prosecuted by Philippine authorities, they shall be accorded all procedural safeguards established by the law of the Philippines. At the minimum, United States personnel shall be entitled:

(a) To a prompt and speedy trial;

- (b) To be informed in advance of trial of the specific charge or charges made against them and to have reasonable time to prepare a defense;
- (c) To be confronted with witnesses against them and to cross examine such witnesses;
- (d) To present evidence in their defense and to have compulsory process for obtaining witnesses;
- (e) To have free and assisted legal representation of their own choice on the same basis as nationals of the Philippines;
- (f) To have the services of a competent interpreter;
- (g) To communicate promptly with and to be visited regularly by United States authorities, and to have such authorities present at all judicial proceedings. These proceedings shall be public unless the court, in accordance with Philippine law, excludes persons who have no role in the proceedings.

10. The confinement or detention by Philippine authorities of United States personnel shall be carried out in facilities agreed on by appropriate Philippine and United States authorities. United States personnel serving sentences in the Philippines shall have the right to visits and material assistance.

11. United States personnel shall be subject to trial only in Philippine courts of ordinary jurisdiction, and shall not be subject to the jurisdiction of Philippine military or religious courts.

## Article VI

### Claims

1. Except for contractual arrangements, including United States foreign military sales letters of offer and acceptance and leases of military equipment, both governments waive any and all claims against each other for damage, loss or destruction to property of each other's armed forces or for death or injury to their military and civilian personnel arising from activities to which this agreement applies.

2. For claims against the United States, other than contractual claims and those to which paragraph 1 applies, the United States Government, in accordance with United States law regarding foreign claims, will pay just and reasonable compensation in settlement of meritorious claims for damage, loss, personal injury or death, caused by acts or omissions of United States personnel, or otherwise incident to the non-combat activities of the United States forces.

## Article VII

### Importation and Exportation

1. United States Government equipment, materials, supplies, and other property imported into or acquired in the Philippines by or on behalf of the United States armed forces in connection with activities to which this agreement applies, shall be free of all Philippine duties, taxes and other similar charges. Title to such property shall remain with the United States, which may remove such property from the Philippines at any time, free from export duties, taxes, and other similar charges. The exemptions provided in this paragraph shall also extend to any duty, tax, or other similar charges which would otherwise be assessed upon such property after importation into, or acquisition within, the Philippines. Such property may be removed from the Philippines, or disposed of therein, provided that disposition of such property in the Philippines to persons or entities not entitled to exemption from applicable taxes and duties shall be subject to payment of such taxes, and duties and prior approval of the Philippine Government.

2. Reasonable quantities of personal baggage, personal effects, and other property for the personal use of United States personnel may be imported into and used in the Philippines free of all duties, taxes and other similar charges during the period of their temporary stay in the Philippines. Transfers to persons or entities in the Philippines not entitled to import privileges may only be made upon prior approval of the appropriate Philippine authorities including payment by the recipient of applicable duties and taxes imposed in accordance with the laws of the Philippines. The exportation of such property and of property acquired in the Philippines by United States personnel shall be free of all Philippine duties, taxes, and other similar charges.

## Article VIII

### Movement of Vessels and Aircraft

1. Aircraft operated by or for the United States armed forces may enter the Philippines upon approval of the Government of the Philippines in accordance with procedures stipulated in implementing arrangements.
2. Vessels operated by or for the United States armed forces may enter the Philippines upon approval of the Government of the Philippines. The movement of vessels shall be in accordance with international custom and practice governing such vessels, and such agreed implementing arrangements as necessary.
3. Vehicles, vessels, and aircraft operated by or for the United States armed forces shall not be subject to the payment of landing or port fees, navigation or overflight charges, or tolls or other use charges, including light and harbor dues, while in the Philippines. Aircraft operated by or for the United States armed forces shall observe local air traffic control regulations while in the Philippines. Vessels owned or operated by the United States solely on United States Government non-commercial service shall not be subject to compulsory pilotage at Philippine ports.

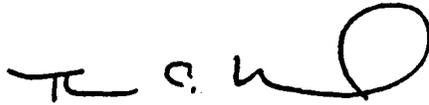
Article IX

Duration and Termination

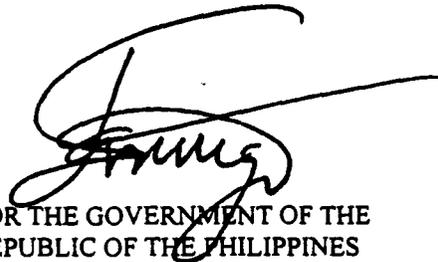
This agreement shall enter into force on the date on which the parties have notified each other in writing through the diplomatic channel that they have completed their constitutional requirements for entry into force. This agreement shall remain in force until the expiration of 180 days from the date on which either party gives the other party notice in writing that it desires to terminate the agreement.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective governments, have signed this agreement.

DONE in duplicate at Manila, The Philippines, this tenth day of February, 1998.



FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA



FOR THE GOVERNMENT OF THE  
REPUBLIC OF THE PHILIPPINES

**AGREEMENT BETWEEN**

**THE GOVERNMENT OF THE UNITED STATES OF AMERICA**

**AND**

**THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES**

**REGARDING THE TREATMENT OF REPUBLIC OF THE PHILIPPINES PERSONNEL**

**VISITING THE UNITED STATES OF AMERICA**

## INDEX

<u>Article</u>	<u>Title</u>	<u>Page</u>
Preamble		1
I	Definitions	2
II	Applicability	2
III	Respect for the Law in the United States	3
IV	Entry and Departure	3
V	Driving Licenses	4
VI	Uniforms	4
VII	Bearing of Arms	5
VIII	Criminal Jurisdiction	5
IX	Confinement and Visitation	7
X	Personal Tax Exemptions	8
XI	Imports and Exports	8
XII	Entry into and Use of Military Facilities; Identity Cards	9
XIII	Use of Welfare and Recreational Facilities	10
XIV	Health Care	10
XV	Use of Transportation Facilities	10
XVI	Use of Utilities and Services	11
XVII	Embassy and Consulate Personnel	11
XVIII	Security	11
XIX	Supplementary Arrangements	12
XX	Entry Into Force and Duration	12

## **PREAMBLE**

For the purpose of complementing the Agreement Between the United States of America and the Republic of the Philippines regarding the treatment of United States Armed Forces visiting the Philippines (hereinafter referred to as "the Visiting Forces Agreement") the two Governments have agreed as follows with respect to Republic of the Philippines personnel in the United States:

## Article I

### Definitions

In this Agreement:

- (a) "members of the force" means the military personnel belonging to the Republic of the Philippines armed forces who are in the United States in connection with their official duties, including ship and aircraft visits;
- (b) "members of the civilian component" means civilian personnel who are in the United States in connection with their employment by the Republic of the Philippines armed forces, and who are not stateless persons, nor nationals of, nor ordinarily resident in the United States;
- (c) "dependent" means the spouse, child, or other immediate family member of the household of a member of the force or civilian component who is dependent on that member financially, legally or for reasons of health; and
- (d) "Republic of the Philippines personnel" means members of the force, members of the civilian component, and dependents, as defined in the preceding provisions of this Article.

## Article II

### Applicability

This Agreement shall apply to Republic of the Philippines personnel who are sent to or through the United States for mutually agreed: (1) ship and aircraft visits, (2) military exercises, (3) training, (4) joint Government-approved research and development projects, and (5) other mutually agreed military activities which involve the sending of Republic of the Philippines personnel to or through the United States. It also applies to Republic of the Philippines personnel sent to the United States in support of such activities.

### **Article III**

#### **Respect for Law in the United States**

It is the duty of Republic of the Philippines personnel to respect the laws of the United States and to abstain from any activity inconsistent with the spirit of this Agreement, and, in particular, from any political activity.

### **Article IV**

#### **Entry and Departure**

1. (a) The Embassy of the United States of America will issue visas, valid for multiple entries, to Republic of the Philippines personnel traveling to the United States on official duty. In the visa application process, Republic of the Philippines personnel shall be exempt from completing the non-immigrant visa application form, but shall be subject to a determination of identity and proper documentation. Apart from exceptional cases, the Embassy will issue the visa the same day it is requested, and without requiring that the applicant apply for it in person.  
(b) When emergencies arise, the Embassy will undertake to facilitate entry into the United States of Republic of the Philippines personnel without passport or visa.  
(c) The Embassy will also undertake to facilitate the entry without passport or visa of groups of members of the force when such personnel are entering and leaving the United States through a single port of entry, and when such assistance is requested by the Government of the Republic of the Philippines.
  
2. If United States authorities request the removal from United States territory of a member of the force or civilian component, or a dependent, the Government of the Republic of the Philippines shall be responsible for receiving the person concerned within its own territory or otherwise disposing of said person outside of the United States. If the status of a member of the

force or civilian component, or a dependent, is changed, Republic of the Philippines authorities shall promptly inform United States authorities.

3. The Embassy reserves the right to deny visas to persons who are ineligible for entry into the United States under the provisions of United States law.

4. The two Governments will cooperate to facilitate the implementation of this Article.

#### Article V

#### Driving Licenses

1. In accordance with the Geneva Convention on Road Traffic of September 19, 1949, authorities in the United States shall accept as valid, without a driving test or fee, the driving permit or license issued by a competent authority in the Republic of the Philippines to Republic of the Philippines personnel.

2. The use in the United States of the driving license referred to in this Article shall be subject to such temporary or permanent suspensions as may be decided by United States judicial or administrative authorities in accordance with applicable laws, as a consequence of traffic violations committed by the licensee.

#### Article VI

#### Uniforms

Subject to any arrangements between the authorities of the United States and the Republic of the Philippines, the wearing of uniforms and civilian dress shall be in accordance with applicable Republic of the Philippines armed forces regulations.

## Article VII

### Bearing of Arms

1. Members of the force, and other personnel as agreed, may possess and carry arms at United States military installations while on duty, on the condition that they are authorized to do so by their orders. Except when special documentation arranged by the two Governments provides for civilian dress, members of the force shall be in uniform when in possession of or carrying arms. Republic of the Philippines military authorities shall give sympathetic consideration to requests by the Government of the United States concerning this matter.
2. Except as mutually agreed, this authorization does not confer a right of access to United States military installations while bearing arms where doing so is prohibited.

## Article VIII

### Criminal Jurisdiction

1. For the sole purpose of determining whether an act or omission is a punishable offense under the law of the United States, or under the military law of the Republic of the Philippines, or both, the interpretation of by the Republic of the Philippines authorities shall be accepted by the Government of the United States, and the interpretation of the law of the United States by the authorities of the Government of the United States shall be accepted by the Government of the Republic of the Philippines.
2. When so requested in a particular case by the Government of the Republic of the Philippines, the United States Department of State or Department of Defense will ask the appropriate authorities in the United States having jurisdiction over an offense committed by Republic of the Philippines personnel to waive in favor of the Republic of the Philippines their right to exercise jurisdiction, except in cases where the Department of State and the Department of Defense, after

special consideration, determine that United States interests require the exercise of United States federal or state jurisdiction.

3. When authorities of the Government of the United States become aware of the apprehension, arrest or detention of any Republic of the Philippines personnel, they shall promptly notify Republic of the Philippines authorities. Responsible authorities in the states concerned will be requested to make such information available promptly to the Government of the United States.

4. When Republic of the Philippines personnel are detained, taken into custody, or prosecuted by authorities in the United States, they shall be accorded all procedural guarantees established by applicable United States federal or state law, including the right:

- (a) to have prompt access to, and to be represented by, legal counsel of their choice, qualified in accordance with United States federal or state law;
- (b) to have free or assisted legal representation on the same basis as citizens of the United States;
- (c) to communicate promptly with and to be visited regularly by Republic of the Philippines authorities, to have such authorities present at all judicial proceedings, and to receive assistance deemed by such authorities to be desirable;
- (d) to have the services of a competent interpreter;
- (e) to seek a writ of *habeas corpus*;
- (f) to have the right to bail, subject to pertinent federal and state law, and a prompt and speedy trial;
- (g) to be informed, in advance of trial, of the specific charge or charges made against them;
- (h) to be confronted by the witnesses against them and to cross-examine such witnesses, subject to exceptions existing in applicable rules of evidence;
- (i) to present evidence on their behalf, including the right to have compulsory process for obtaining witnesses in their favor if such witnesses are within the jurisdiction of the United States or the state concerned;

- (j) not to be prosecuted for a criminal offense as a result of any act or omission which did not constitute a criminal offense under United States federal or state law at the time it was committed;
- (k) to be present at their trial;
- (l) to have trials open to the public unless the court, in accordance with applicable United States federal or state law, excludes persons who have no role in the proceedings;
- (m) not to be compelled to testify against themselves;
- (n) at the discretion of the judge or other competent authority, to have credited to any sentence of confinement any period of pretrial detention by either Party; and
- (o) to be visited regularly by members of their immediate family in accordance with applicable United States federal or state penal procedures.

5. Republic of the Philippines personnel shall not be subject to prosecution by United States military courts or tribunals. If such personnel are detained on a United States military installation, they shall be immediately turned over to appropriate United States civilian or Republic of the Philippines authorities.

6. Upon the request of Philippine authorities that such assistance is necessary for the maintenance and discipline of its forces in the United States, and upon a finding and declaration to this effect by the President of the United States, the Government of the United States shall give effect to the provision of United States law regarding Service courts of friendly foreign forces.

## Article IX

### Confinement and Visitation

1. Confinement imposed by a United States federal or state court upon Republic of the Philippines personnel shall be served in penal institutions in the United States suitable for the custody level of the prisoners chosen after consultation between the two governments.

2. Republic of the Philippines personnel shall not be subject to confinement in United States military confinement facilities, except that members of the force may be so confined at the request of Republic of the Philippines military authorities.

3. In accordance with pertinent state and federal law and regulations, including prison regulations, the authorities of the Republic of the Philippines may visit the persons referred to in paragraph 1 of this Article, and provide them with appropriate material assistance.

## Article X

### Personal Tax Exemptions

The acquisition of goods and services in the United States market by Republic of the Philippines personnel for personal purposes shall be subject to applicable United States taxes. Republic of the Philippines personnel will not be required to pay any tax to the Government of the United States on the ownership, possession, or use of their tangible movable property entered into the United States for their personal and exclusive use. The official salaries and emoluments of Republic of the Philippines personnel who are not citizens of the United States shall be exempt from payment of income taxes to the Government of the United States.

## Article XI

### Imports and Exports

1. The baggage and effects of Republic of the Philippines personnel and articles, including household goods, for the personal and family use of such personnel may be entered into the United States within six months of first arrival without the payment of duties, internal revenue taxes and other charges to the Government of the United States. Such property shall, without prejudice to the exemptions provided by this Article, be considered as temporarily imported property. It may be transferred only to persons in the United States entitled to import such

property duty-free, unless other transfer or use is agreed upon by the appropriate United States authorities. Such property may also be exported from the United States without payment of duties.

2. Property of the Republic of the Philippines and other property imported into or acquired in the United States by or on behalf of the Republic of the Philippines Armed Forces in connection with official duties may be imported into, used within and exported from the United States for official purposes by the Republic of the Philippines armed forces, without the payment of duties, internal revenue taxes and other charges to the Government of the United States.

3. Members of the force and members of the civilian component may import free of duties, internal revenue taxes and other charges to the Government of the United States private motor vehicles for the personal use of themselves and their immediate family during their temporary presence in the United States. Private motor vehicles so imported shall, consistent with United States law, be exempt from environmental and safety standards established by United States federal laws and regulations. Any disposition of such private motor vehicles in the United States shall be in accordance with applicable federal or state law of the United States. Such private motor vehicles may be exported from the United States without the payment of taxes, duties, or other similar charges to the Government of the United States.

4. United States and Republic of the Philippines authorities will cooperate in making any necessary arrangements to effect the provisions of this Article.

## Article XII

Entry into and Use of Military Facilities;

Identity Cards

1. The Government of the United States will grant to Republic of the Philippines personnel the use of military facilities in the United States under such favorable terms and conditions as are permitted by United States law and regulations.

2. (a) United States authorities will issue Republic of the Philippines personnel appropriate identity cards.

(b) These cards will permit entry into and use of authorized military facilities in the United States.

### Article XIII

#### Use of Welfare and Recreational Facilities

In accordance with United States laws and regulations, Republic of the Philippines personnel may utilize the military service exchanges, commissaries, and cultural and recreational organizations of the United States armed services.

### Article XIV

#### Health Care

Pursuant to separate arrangements between the two Governments, the United States Department of Defense will provide health care to Republic of the Philippines personnel in Department of Defense medical treatment facilities in the United States corresponding to the health care provided to comparable United States personnel in the Republic of the Philippines.

### Article XV

#### Use of Transportation Facilities

Vehicles, vessels and aircraft operated by the Government of the Republic of the Philippines shall not be subject to the payment of landing or port fees, navigation or overflight charges, road tolls

or any other charges for the use of United States military installations which do not constitute fair and reasonable charges for services requested and received.

#### Article XVI

##### Use of Utilities and Services

The United States military authorities will, upon request, and under appropriate circumstances, assist Republic of the Philippines authorities in obtaining use of necessary utilities. The term "utilities" shall include electricity, gas, water, heat, light, power, sewage disposal, telephone and other utilities.

#### Article XVII

##### Embassy and Consulate Personnel

Republic of the Philippines personnel assigned to the Embassy of the Republic of the Philippines shall continue to receive any privileges and immunities to which they are entitled under the Vienna Convention on Diplomatic Relations, and Republic of the Philippines personnel assigned to a Republic of the Philippines consulate shall continue to receive any privileges and immunities to which they are entitled under customary international law.

#### Article XVIII

##### Security

The Parties will cooperate in matters of security, including security for personnel and property covered by this Agreement.

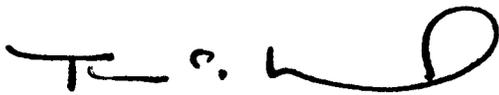
**Article XIX**  
**Supplementary Arrangements**

Consistent with the provisions of this Agreement, supplementary arrangements for its implementation may be concluded, as required, between appropriate authorities of the Parties.

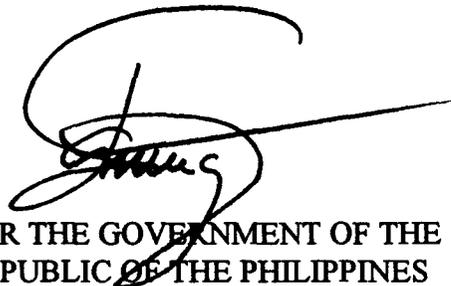
**Article XX**  
**Entry into Force and Duration**

This Agreement will enter into force simultaneously with the Visiting Forces Agreement and will continue in force as long as such agreement remains in force.

Done at Manila, The Philippines, this ninth day of October, 1998.



FOR THE GOVERNMENT OF  
UNITED STATES OF AMERICA



FOR THE GOVERNMENT OF THE  
REPUBLIC OF THE PHILIPPINES